

**GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA**

UNSTARRED QUESTION NO:6290

ANSWERED ON:12.04.2017

Veracity of Advertisements

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Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

- (a) the criteria for veracity of advertisements of products related to daily use consumer goods of different categories like food, beauty, health and entertainment, etc; and
- (b) the plan to bring in transparency in attractive offers to consumers and the penal provisions in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF INFORMATION & BROADCASTING [COL RAJYAVARDHAN RATHORE (Retd.)]

(a) & (b): The advertisements telecast on private satellite TV channels are regulated by Ministry of Information and Broadcasting as per Advertising Code prescribed under the Cable Television Network Rules, 1994 enshrined in the Cable Television Networks (Regulation) Act, 1995. The code contains a whole range of parameters to regulate advertisements on TV channels. Rule 7 (5) of the Advertising Code specifically deals with the misleading advertisements which prescribes that no advertisement shall contain references which are likely to lead the public to infer that the product advertised or any of its ingredients has some special or miraculous or super-natural property or quality, which is difficult of being proved. The details of action taken against TV channels in case of misleading advertisements during the last three years and the current year is at Annexure.

Further, Department of Consumer Affairs has stated that they have not fixed any criteria for veracity of advertisements of products related to daily use of consumer goods. However, Section 2(1)(r) of the Consumer Protection Act, 1986 provides that the practice of making any statement, whether orally or in writing or by visible representation which falsely represents that the goods are of a particular standard, quality, quantity, grade, composition style or model; falsely represents that the services of a particular standard, quality or grade, falls under unfair trade practices. A consumer can make a complaint against unfair trade practice in a Consumer Forum established under the Consumer Protection Act, 1986. If the complaint is upheld by the Forum, it can order, inter alia, for removal of defect pointed out, replacing the goods with new goods free from any defect, issuance of corrective advertisement to neutralize the effect of misleading advertisement at the cost of the opposite party responsible for issuing such misleading advertisement, etc.
